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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

S.D., and *ex rel.* D.D. and
Next Friend of M.D

Case No. 6:17-cv-00770-MK
ORDER AND OPINION

Plaintiffs,

vs.

CLIDE SAIKI, *et al.*,

Defendants.

AIKEN, District Judge:

Magistrate Judge Mustafa Kasubhai has filed his Findings and Recommendation ("F&R") (doc. 125) recommending that this case should be dismissed with prejudice and that plaintiff should be precluded from filing a fifth amended complaint. The matter is now before me. *See* 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

When either party objects to any portion of a magistrate judge's F&R, the district court must make a *de novo* determination of that portion of the magistrate judge's report. *See* 28 U.S.C. § 636(b)(1); *McDonnell Douglas Corp. v. Commodore*
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Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), *cert denied*, 455 U.S. 920 (1982). Plaintiffs have filed timely objections¹ (docs. 141 and 142), and defendants have filed a response to those objections (doc. 143). Thus, this Court reviews the F&R *de novo*.

This Court has reviewed plaintiffs' objections and attached documents and find no error in Magistrate Judge Kasubhai's F&R. Thus, the Court adopts the F&R (doc. 125) in its entirety. Accordingly, this action is dismissed, with prejudice. All other pending motions and requests are denied as moot.

IT IS SO ORDERED.

Dated this 31st day of January, 2020.



Ann Aiken
United States District Judge

¹ This Court has granted three extension of time for plaintiffs to file objections. (docs. 131, 135, 138.)